

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held on March 3, 2020

An Open Meeting of the Public Utilities Commission was held on March 3, 2020 at 2:00 P.M. in Hearing Room A, 89 Jefferson Boulevard, Warwick, Rhode Island to discuss, deliberate, and/or vote on the following dockets.

Present: Chairperson Margaret Curran, Commissioner Marion Gold Commissioner Abigail Anthony, Cynthia Wilson-Frias, Margaret Hogan, Alan Nault, Todd Bianco and Luly Massaro. Staff John Harrington was not present.

- I. Chairperson Curran called the Open Meeting to order at 2:03 P.M. A quorum was present.
- II. Chairperson Curran moved to accept the Minutes of Open Meetings held on February 5, 2020 and February 18, 2020. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- III. **Docket No. 5014 – Narragansett Bay Commission** – This docket is related to the PUC’s review of Narragansett Bay Commission’s January 21, 2020 Declaratory Judgment Petition pursuant R.I. Gen. Laws § 42-35-8 and PUC Rule 1.11. Narragansett Bay Commission (NBC) sought an order 1) to clarify which of the Rhode Island Public Utilities Commission's Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service apply to the Narragansett Bay Commission, and 2) to determine what jurisdiction the Rhode Island Division of Public Utilities and Carriers has over billing and service termination disputes between the NBC and its customers.

It was noted that the PUC termination rules apply only to entities that own or operate electric, gas or water utilities. NBC is not one of those entities as such the termination rules are not applicable to NBC notwithstanding the direction and its enabling statute that indicates it to follow the PUC rules. After review, the PUC deliberated:

- 1) In response to first question, Chairperson Curran moved that PUC declare that none of the rules apply to the Narragansett Bay Commission. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 2) In response to second question, Chairperson Curran moved to determine that jurisdiction is exclusively reserved to the Rhode Island Superior Court as it is not something that we have jurisdiction to determine. Thus, Chairperson Curran moved to decline to rule for lack of subject matter jurisdiction. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- IV. Docket No. 4999 - The Narragansett Electric Company d/b/a National Grid** – This docket is related to the PUC's review of National Grid's December 23, 2019 Declaratory Judgment Petition submitted pursuant R.I. Gen. Laws §§ 39-30-2 and 42-35-8(c) and PUC Rule 1.11(c). National Grid sought interpretation of the Company's rights and obligations to a customer, International Packaging Corporation (InterPak) RIPUC NG-GAS No. 101. After consideration, Chairperson Curran moved to recommend that the PUC direct the Division file a position statement or legal brief on this matter and InterPak shall be allowed to file same as it wishes. Also, to put the matter down for oral argument and hearing on March 26, 2020. Position statement is due 10 days prior to hearing. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- V. Renewable Energy Resource Eligibility Applications** - The PUC reviewed and ruled on the following applications for eligibility as a Renewable Energy Resource:
- Docket No. 5001 – Zoll Medical Corporation's** applied for eligibility certification of the Bio-Detek PV Array generation unit, a 0.164 MW AC (0.176 MW DC) solar facility located in Pawtucket, Rhode Island, as a New Renewable Energy Resource. Pending further review, ruling was postponed.
- Docket No. 5002 – Jason Macari** applied for eligibility certification of the 85 Commercial Way Solar generation unit, a 0.144 MC AC solar facility located in East Providence, Rhode Island, as a New Renewable Energy Resource. PUC consultant recommended approval. Chairperson Curran moved to approve the application. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- Docket No. 5003 – TES Anchor Solar 23, LLC** applied for eligibility certification of the Anchor Solar generation unit, a 199.8 kW AC solar facility located in Narragansett, Rhode Island, as a New Renewable Energy Resource. PUC consultant recommended approval. Chairperson Curran moved to approve the application. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- VI. Docket No. 4983 - The Narragansett Electric Company d/b/a National Grid and Rhode Island Distributed Generation Board (DG Board)** – This docket is related to the PUC's review of proposals submitted by National Grid and the DG Board for the 2020 Renewable Energy Growth Program (RE Growth) pursuant to R.I. Gen. Laws 39-26.6-1 et seq. Pending further review, ruling was postponed was postponed until next Open Meeting.
- VII.** The Open Meeting adjourned at 2:26 P.M. A video of the Open Meeting discussion can be accessed at <http://www.ustream.tv/channel/WqQyXw296dg>.